

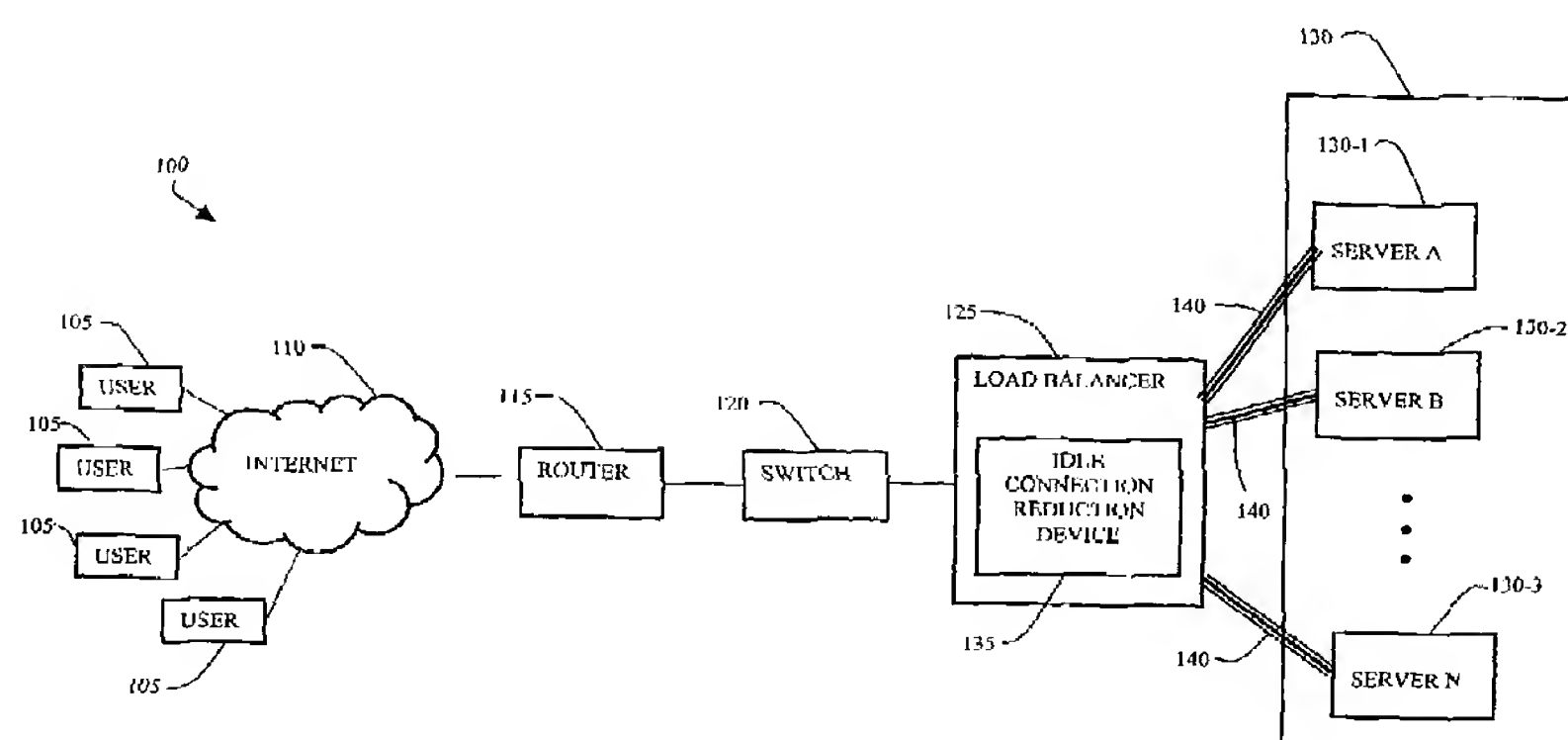
REMARKS

Reconsideration and allowance are respectfully requested. Claim 19 is amended to correct a typographical error identified in the Office Action.

Claims 19-26, 29 and 30 are rejected for obviousness under 35 U.S.C. § 103(a) in view of the combination of U.S. Patent No. 7,287,082 to O'Toole, Jr. ("O'Toole"), U.S. Patent No. 6,618,757 to Babbitt et al. ("Babbitt") and U.S. Patent Application Publication No. 2002/0002621 to Zhang et al. ("Zhang"). This ground of rejection is respectfully traversed.

The combination of O'Toole, Babbitt and Zhang does not render independent claim 19 obvious because the combination does not disclose or suggest a communication apparatus in which a connection controller determines whether to release a global address and a connection to another network based on non-usage of local addresses, and combining O'Toole, Babbitt and Zhang in the manner described in the Office Action would render the system of O'Toole unfit for its intended purpose.

O'Toole relates to dropping individual connections 140 from a load balancer 125 to individual servers 130-1...130-3. As illustrated in FIGURE 1 of O'Toole (reproduced below), these individual servers provide information to users 105, and if a global address and a connection to internet 110 were released in the manner recited in claim 19, then the servers would not be able to provide their intended function of providing information to users 105 because there would be no connection between the users and the servers.



Thus, O'Toole does not disclose or suggest determining whether to release a global address and a connection to another network based upon non-usage of local addresses.

Recognizing the deficiencies of O'Toole, the Office Action cites Babbitt for the disclosure of, *inter alia*, releasing an external IP address. Babbitt discloses a technique that monitoring usage of an external IP address by a ***single subscriber*** to determine whether it is active. If the external IP address is not active when a hold timer expires, the external IP address is released for reallocation. This one-to-one relationship of Babbitt (i.e., one external IP address for one subscriber) does not disclose or suggest determining whether to release a global address and a connection to another network based upon non-usage of more than one local address (i.e., "usage of the local addresses"). Indeed, Babbitt does not disclose or suggest that a connection to another network is released, but instead only releasing an external IP address.

Accordingly, there is no disclosure or suggestion in either O'Toole or Babbitt of releasing a global address and a connection to another network based upon non-usage of local addresses.

Additionally, if the system of O'Toole were to employ a single external IP address for all of the servers and the system was modified by Babbitt in the manner proposed in the Office Action, then the system of O'Toole would make the servers completely inaccessible by closing the connection to all of the servers and releasing the global IP address commonly used by the servers. Again, in O'Toole the servers are arranged to provide information to the users, and as such making the servers inaccessible would render the system of O'Toole unfit for its intended purpose.¹

¹ See M.P.E.P. § 2143.01 V. citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). "If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification."

Nevertheless, the Office Action states that one skilled in the art would have been motivated to modify O'Toole by Babbitt to release the connection and global IP address "because it is applying a known technique to improve the similar NAT table, which also contains connection information, to yield predictable results." Although the results are predictable, it would not be an improvement to terminate the connection of the servers of O'Toole to the internet because the servers would then not be able to achieve their intended purpose of serving information to users. Thus, the motivation provided in the Office Action would not have motivated one skilled in the art to have modified O'Toole by Babbitt in the manner described in the Office Action.

Zhang is cited for the disclosure of a network address table (NAT) but does not remedy the above-identified deficiencies of the combination of O'Toole and Babbitt. Indeed, it is unclear why Zhang is being included in the rejection because the Office Action also notes that Babbitt discloses a NAT. Thus, the disclosure of Zhang relied upon to support the rejection appears to be cumulative to that of Babbitt and should be removed from the rejection.

Because the combination of O'Toole, Babbitt and Zhang does not disclose or suggest all of the elements of claim 19, and one skilled in the art would not have been motivated to modify the combination to arrive at the claimed invention, the combination does not render claim 19 obvious.

The distinction over the combination of O'Toole, Babbitt and Zhang is even more pronounced when one considers dependent claim 20, which recites that "the connection controller releasing the connection terminates the connection for all of the plurality of terminals to the another network." Again, one skilled in the art would not have been motivated to modify O'Toole to terminate the connection of all of the servers to the Internet

because this would prevent the servers from achieving their intended function of serving information to users. Thus, claim 20 is patentably distinguishable for this additional reason.

Claims 21-26 are patentably distinguishable at least by virtue of their dependency from independent claim 19. Independent claim 29 and dependent claim 30 respectively recites similar elements to those discussed above with regards to claims 19 and 20, and are patentably distinguishable for similar reasons.

For at least those reasons set forth above, the rejection of claims 19-26, 29 and 30 for obviousness in view of the combination of O'Toole, Zhang and Babbitt should be withdrawn.

Claims 27 and 28 are rejected for obviousness under 35 U.S.C. § 103(a) in view of the combination of O'Toole, Babbitt, Zhang and U.S. Patent Application Publication No. 2004/0076180 to Satapati et al. ("Satapati"). This ground of rejection is respectfully traversed.

Independent claim 27 recites that the router includes ports to terminals on the LAN and that "when the local addresses are unused, the monitor sends a message to the connection controller to release the global address and break the connection between the router and the another network." The combination of O'Toole, Babbitt, Zhang and Satapati does not disclose or suggest at least this element of claim 27.

As discussed above, if O'Toole were modified so that the connection between the load balancer and the internet were broken, the servers would not be able to achieve their intended function of serving information to the users. Satapati does not remedy this deficiency of the combination of O'Toole, Babbitt and Zhang, and accordingly one skilled in the art would not have been motivated to combine O'Toole, Babbitt, Zhang and Satapati such that "when the local addresses are unused, the monitor sends a message to the connection controller to release the global address and break the connection between the router and the another network" as recited in independent claim 27. As such, the combination does not

render independent claim 27 obvious. Claim 28 is patentably distinguishable at least by virtue of its dependency. Accordingly, the rejection of claims 27 and 28 for obviousness should be withdrawn.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323, Docket No. 105247.57619US.

Respectfully submitted,

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/Stephen W. Palan, Reg. No. 43,420/
Stephen W. Palan
Registration No. 43,420

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
SWP:crr
14485061